

**COMMONWEALTH OF VIRGINIA**  
**Department of Environmental Quality**  
**Piedmont Regional Office**

**STATEMENT OF LEGAL AND FACTUAL BASIS**

Waste Management Disposal Services of Virginia, Inc.  
US Rt. 17, 0.25 miles south of US Rt. 17/ St. Rt. 601 intersection -  
Gloucester County, Virginia  
Permit No.: PRO40920

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Waste Management Disposal Services of Virginia, Inc. has applied for a Title V Operating Permit for its Gloucester County facility. The Department has reviewed the application and has prepared a Title V Operating Permit.

Engineer/Permit Contact: \_\_\_\_\_ Date: \_\_\_\_\_

Air Permit Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Regional Permit Manager: \_\_\_\_\_ Date: \_\_\_\_\_

## **FACILITY INFORMATION**

### Permittee

Waste Management Disposal Services of Virginia, Inc.  
3714 Waste Management Way  
Glenns, VA 23149

### Facility

Middle Peninsula Landfill and Recycling Facility  
3714 Waste Management Way  
Glenns, VA 23149

AFS ID No.: 51-073-00032

## **SOURCE DESCRIPTION**

SIC Code: 4953 / NAICS Code: 562212 - Solid Waste Landfills

The Middle Peninsula Landfill and Recycling Facility (MPLRF) is a non-hazardous municipal solid waste (MSW) landfill located on U.S. Route 17, approximately 1.5 miles north of Adner, Virginia in Gloucester County. MPLRF is owned by the County of Gloucester and operated by Waste Management Disposal Services of Virginia, Inc. (WMDSV). The facility currently operates under the terms of a State Operating Permit (SOP) issued July 17, 1998, by the Virginia Department of Environmental Quality (DEQ) Air Division. The facility also operates under the terms of Solid Waste Permit No. 572, issued by the DEQ Waste Division on August 15, 1994.

The MPLRF began accepting waste in June of 1995. The DEQ Solid Waste Permit specifies the allowable waste types that can be received and disposed of at MPLRF. In the Solid Waste Permit no restrictions are made prohibiting the disposal of commercial and industrial waste at the MPLRF. According to AP-42 (p 2.4-4), facilities disposing of MSW, commercial, and industrial waste are considered to be co-disposal facilities.

An Initial Design Capacity Report was received from WMDSV on June 6, 1996. According to the report, the MPLRF has a design capacity of 35.4 million cubic meters (MM m<sup>3</sup>) or 46.3 million cubic yards (MM yd<sup>3</sup>).

The facility is a Title V major source of non-methane organic compounds (NMOC's) as defined under the New Source Performance Standard (NSPS) 'Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills'. Because the facility is subject to Subpart WWW, it is required to collect and control the emission of landfill gas. A Gas Collection and Control System (GCCS) plan was submitted by the source on June 12, 1998. This plan was approved on August 29, 2000. The July 17, 1998

SOP required that the landfill gas be burned in an open flare until there was sufficient gas to be burned in an enclosed flare. Operation of the open flare began on April 8, 1999. Operation of the enclosed flare began on November 6, 2000, with the open flare being retained as a backup.

This source is located in an attainment area for all pollutants. The facility is not a PSD major source.

## **COMPLIANCE STATUS**

A full compliance evaluation of this facility, including a site visit, was last conducted on September 16, 2002. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

## EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

Emission Unit ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
L01	Municipal Solid Waste Landfill operating since 1995, see (1) below	35.4 x 10 <sup>6</sup> m <sup>3</sup>	1 Open Flare rated at 6000 scfm	F01	S01	NMOC	July 17, 1998
			1 Enclosed Flare rated at 6000 scfm	F02	S02	NMOC	July 17, 1998
LT8	Leachate Tank #1 - leachate storage tank	500,000 gallon	n/a	n/a	n/a	n/a	n/a
LT9	Leachate Tank #2 - leachate storage tank	500,000 gallon	n/a	n/a	n/a	n/a	n/a
AST14	AST leachate storage tank	11,000 gallon	n/a	n/a	n/a	n/a	n/a
AST 23	AST diesel – split tank	12,000 gallons	n/a	n/a	n/a	n/a	n/a

## EMISSIONS INVENTORY

Emissions from the 2002 emissions inventory are summarized in the following tables.

	2002 NMOC and Criteria Pollutant Emission in Tons/Year					
Emission Unit	NMOC	PM <sub>10</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC
L01	22.1	12.6	35.2	3.2	4.7	17.0

	2002 Hazardous Air Pollutant Emission in Tons/Yr
Total	9.3

## **EMISSION UNIT APPLICABLE REQUIREMENTS - Landfill (L01)**

### **Limitations, Standards for Air Emissions, and Operational Standards**

Because Middle Peninsula Landfill and Recycling Facility (MPLRF) is subject to New Source Performance Standards (NSPS) under 40 CFR 60 Subpart WWW the source is required to obtain a Title V permit. MPLRF is also subject to a State Operating Permit (SOP) issued July 17, 1998, which referenced the Subpart WWW requirements, as well as established additional requirements. Applicable limitations and standards requirements from NSPS Subpart WWW [§§60.752 & 60.753], as well as from Subpart A (General Provisions) [§60.18], have been included in the Title V permit. Additional limitation requirements from the SOP have also been included in the Title V permit.

### **Testing**

The SOP permit requires that the performance tests be conducted at least every 5 years to demonstrate compliance with the emissions limitations. This requirement has been included in the Title V permit. Testing shall be done in accordance with the requirements of §60.754(d).

### **Compliance Provisions and Monitoring**

All NSPS under the authority of Section 111 of 40 CFR Part 60 proposed after November 15, 1990 are presumed to have adequate monitoring to meet the Part 70 (Title V) periodic monitoring requirements. NSPS WWW was proposed on May 30, 1991. As such, no additional monitoring requirements for the landfill's collection and control system have been added to assure compliance with the applicable requirements contained within the subpart. Applicable requirements from NSPS Subpart WWW [§§60.755 & 60.756] have been incorporated in the Title V permit. Additional monitoring requirements from the SOP have also been included in the Title V permit.

### **Recordkeeping**

The Title V permit includes requirements for maintaining records of all monitoring and testing required by Subpart WWW [§§60.753 & 60.758]. Emissions records requirements for the SOP permit have been incorporated in the Title V permit.

### **Reporting**

Applicable annual reporting requirements from NSPS WWW [§60.757] have been included in the Title V permit. The reporting requirements for landfill closure have been included also.

## **Streamlined Requirements**

Several conditions from the facility's SOP were not included in the Title V permit because the requirements of the conditions have already been completed. The SOP conditions not included for this reason are numbers 15 [§60.752(b)(2)(i)], 16 [§60.752(b)(2)(ii)], 17 [§60.752(b)(2)(ii)(B), §60.754(d) & §60.8], 18 [9 VAC 5-50-30], 20 [9 VAC 5-50-40], and 25 [9 VAC 5-50-50 & §60.7]. Conditions 6, 27, 28, 29 from the SOP are covered by conditions in the General Conditions section of the Title V permit.

In addition to the above referenced NSPS Subpart WWW citations, other portions of Subpart WWW were also not included in the Title V permit because they have already been completed. Those include §60.752(a) & (c); §60.754(a); §60.755(a)(1) & (a)(2); and §60.757(a), (b), (c) & (g).

## **EMISSION UNIT APPLICABLE REQUIREMENTS - Leachate Storage Tanks (L04a, L04b, & L04c)**

The leachate storage tanks larger than 40 m<sup>3</sup> (10,566 gallons) are subject only to the recordkeeping requirements of NSPS Subpart Kb. This requirement has been included in the Title V permit.

## **GENERAL CONDITIONS**

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

## **FUTURE APPLICABLE REQUIREMENTS**

The Landfill 'MACT' (National Emissions Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills - 40 CFR 63 Subpart AAAA) was published January 16, 2003 and includes requirements for affected MSW landfills. The compliance date with respect to the requirements of Subpart AAAA is January 16, 2004. Requirements from the MACT have been included in this section of the Title V permit.

## **INAPPLICABLE REQUIREMENTS**

Citation	Title of Citation	Description of applicability
9 VAC 5-40-5800	Emission Standards for Sanitary Landfills	This article only applies to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30 1991.

Citation	Title of Citation	Description of applicability
40 CFR 60 Subpart Cc	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	This Subpart only applies to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30 1991.

## COMPLIANCE PLAN

A compliance plan is not in the Title V permit.

## INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation <sup>1</sup> (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
AST1	Above Ground Storage Tank (AST) containing diesel fuel	5-80-720.C	VOC/HAPs	2,500 gallons
AST2	AST containing used oil	5-80-720.C	VOC/HAPs	275 gallons
AST3	AST containing hydraulic fluid	5-80-720.C	VOC/HAPs	500 gallons
AST4	AST containing used oil	5-80-720.C	VOC/HAPs	500 gallons
AST5	AST containing transmission fluid	5-80-720.C	VOC/HAPs	250 gallons
AST6	AST containing motor oil	5-80-720.C	VOC/HAPs	500 gallons
AST7	AST containing transmission fluid	5-80-720.C	VOC/HAPs	250 gallons
AST10	AST containing water	5-80-720.C	N/A	550 gallons
AST11	AST containing leachate – mobile tank	5-80-720.C	VOC/HAPs	6000 gallons
AST12	AST containing water	5-80-720.C	VOC/HAPs	850 gallons
AST13	AST containing commix stormwater	5-80-720.C	N/A	6700 gallons
AST15	AST containing septic waste	5-80-720.C	N/A	25,000 gallons
SP19	Spray Painting (exempted from permitting by DEQ)	5-80-720.C	VOC/PM	450 gals/yr
AST20	AST containing Diesel	5-80-720.C	VOC/HAPs	1000 gallons
AST21	AST containing odor neutralizer	5-80-720.C	VOC/HAPs	1000 gallons
AST22	AST containing propane	5-80-720.C	VOC/HAPs	1000 gallons

<sup>1</sup>The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application

9 VAC 5-80-720 B - Insignificant due to emission levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

## **CONFIDENTIAL INFORMATION**

No confidential information was submitted.

## **PUBLIC PARTICIPATION**

The proposed permit will be placed on public notice in the Newport News 'Daily Press from September 12, 2003 to October 11, 2003.